



Entered on Docket  
August 04, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**

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The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-7 Mortgage Pass-Through Certificates, Series 2005-7 09-73790

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Victor Arizmendi

Debtor.

BK-S-09-18548-lbr

Date: 7/13/09  
Time: 9:30am

Chapter 7

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-7 Mortgage Pass-Through Certificates, Series 2005-7, its assignees and/or successors in interest, of the subject property, generally described as 8953 Dallas Ridge, Las Vegas, NV 89178, and legally described as follows:

Parcel One (1): Lot 67 in Block 4 of Final Plat of Twilight Noth at Arlington Ranch, (a Common Interst Community), as shown by map thereof on file in Book 114 of Plats, Page 76 in the Office of the County Recorder of Clark County, Nevada.

Parcel Two (2): A non-exclusive easement of ingress, egress, use and enjoyment in, to and over the Association Property, including, but not limited to "Two (2) main entry gates", "Private Street", and "Common Elements", subject to and as set forth in that certain Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Arlington Ranch North, (a Nevada Master Residential Common-Interest Planned Community) recorded March 25, 2004 in Book 20040325 as Document No. 00423, of Official Records. Assessor's Parcel No: 176-20-711-045

**IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.**

DATED this \_\_\_\_ day of \_\_\_\_\_ 2009

Submitted by:

**WILDE & ASSOCIATES**

By

**GREGORY L. WILDE, ESQ.**

Attorney for Secured Creditor  
208 South Jones Boulevard  
Las Vegas, Nevada 89107

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5  
6 APPROVED / DISAPPROVED  
7

8 \_\_\_\_\_  
Jorge L. Sanchez  
930 S. Fourth St., #211  
9 Las Vegas, NV 89101  
Attorney for Debtor(s)  
10

11 Nevada Bar No: \_\_\_\_\_  
12

13 APPROVED / DISAPPROVED  
14

15 \_\_\_\_\_  
Yvette Weinstein  
6450 Spring Mtn. Rd. #14  
16 Las Vegas, NV 89146  
Chapter 7 Trustee  
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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

23  
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor